

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

BRADLEY ALLEN JACKSON M.D.

File No. 800-2016-020514

**Physician's and Surgeon's
Certificate No. A115326**

Respondent

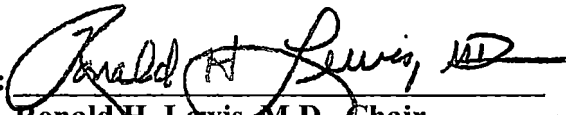
DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on May 23, 2019.

IT IS SO ORDERED April 23, 2019.

MEDICAL BOARD OF CALIFORNIA

By: 

Ronald H. Lewis, M.D., Chair
Panel A

1 XAVIER BECERRA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 REBECCA L. SMITH
Deputy Attorney General
4 State Bar No. 179733
California Department of Justice
5 300 South Spring Street, Suite 1702
Los Angeles, CA 90013
6 Telephone: (213) 269-6475
Facsimile: (213) 897-9395
7 *Attorneys for Complainant*

8
9 **BEFORE THE**
MEDICAL BOARD OF CALIFORNIA
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12
13 In the Matter of the Accusation Against:

Case No. 800-2016-020514

14 BRADLEY ALLEN JACKSON, M.D.
101 East Valencia Mesa Drive
15 Fullerton, CA 92835

OAH No. 2018090377

16 Physician's and Surgeon's Certificate No. A
115326,

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

17
18 Respondent.

19
20 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
21 entitled proceedings that the following matters are true:

22 **PARTIES**

23 1. Kimberly Kirchmeyer ("Complainant") is the Executive Director of the Medical
24 Board of California ("Board"). She brought this action solely in her official capacity and is
25 represented in this matter by Xavier Becerra, Attorney General of the State of California, by
26 Rebecca L. Smith, Deputy Attorney General.

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1 CULPABILITY

2 9. Respondent does not contest that, at an administrative hearing, Complainant could
3 establish a prima facie case with respect to the charges and allegations contained in Accusation
4 No. 800-2016-020514 and that he has thereby subjected his license to disciplinary action.

5 10. Respondent agrees that his Physician's and Surgeon's Certificate is subject to
6 discipline and he agrees to be bound by the imposition of discipline by the Board as set forth in
7 the Disciplinary Order below.

8 CONTINGENCY

9 11. This stipulation shall be subject to approval by the Medical Board of California.
10 Respondent understands and agrees that counsel for Complainant and the staff of the Medical
11 Board of California may communicate directly with the Board regarding this stipulation and
12 settlement, without notice to or participation by Respondent or his counsel. By signing the
13 stipulation, Respondent understands and agrees that he may not withdraw his agreement or seek
14 to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails
15 to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary
16 Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal
17 action between the parties, and the Board shall not be disqualified from further action by having
18 considered this matter.

19 12. The parties understand and agree that Portable Document Format ("PDF") and
20 facsimile copies of this Stipulated Settlement and Disciplinary Order, including PDF and
21 facsimile signatures thereto, shall have the same force and effect as the originals.

22 13. In consideration of the foregoing admissions and stipulations, the parties agree that
23 the Board may, without further notice or formal proceeding, issue and enter the following
24 Disciplinary Order:

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DISCIPLINARY ORDER

A. PUBLIC REPRIMAND.

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. A 115326 issued to Respondent Bradley Allen Jackson, M.D. is publicly reprimanded pursuant to California Business and Professions Code section 2227, subdivision (a)(4). This Public Reprimand, which is issued in connection with Respondent's care and treatment of Patient 1 as set forth in Accusation No. 800-2016-020514, is as follows:

You committed acts constituting negligence in violation of Business and Professions Code section 2234, subdivision (b), in your interpretation of patient 1's August 19, 2015 CT scan of the chest, abdomen and pelvis, as set forth in Accusation No. 800-2016-020514.

B. EDUCATION COURSE. Within sixty (60) calendar days of the effective date of

this Decision, Respondent shall submit to the Board or its designee for its prior approval educational program(s) or course(s) which shall not be less than twenty (20) hours. The educational program(s) or course(s) shall be aimed at correcting any areas of deficient practice or knowledge and shall be Category I certified. The educational program(s) or course(s) shall be at Respondent's expense and shall be in addition to the Continuing Medical Education ("CME") requirements for renewal of licensure. Following the completion of each course, the Board or its designee may administer an examination to test Respondent's knowledge of the course. Respondent shall provide proof of attendance for twenty (20) hours of CME in satisfaction of this condition.

Respondent shall submit a certification of successful completion to the Board or its designee not later than fifteen (15) calendar days after successfully completing the educational program(s) or course(s), or not later than fifteen (15) calendar days after the effective date of the Decision, whichever is later.

If Respondent fails to enroll, participate in, or successfully complete the educational program(s) or course(s) within the designated time period, Respondent shall receive a notification

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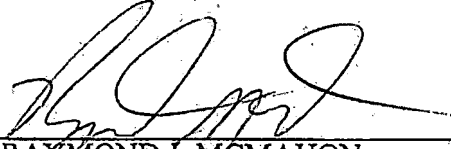
1 from the Board or its designee to cease the practice of medicine within three (3) calendar days
2 after being so notified. Respondent shall not resume the practice of medicine until enrollment or
3 participation in the educational program(s) or course(s) has been completed. Failure to
4 successfully complete the educational program(s) or course(s) outlined above shall constitute
5 unprofessional conduct and is grounds for further disciplinary action.

6
7 ACCEPTANCE

8 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
9 discussed it with my attorney, Raymond J. McMahon. I understand the stipulation and the effect
10 it will have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement
11 and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
12 Decision and Order of the Medical Board of California.

13
14 DATED: 2/21/19 
15 BRADLEY ALLEN JACKSON, M.D.
16 Respondent

17 I have read and fully discussed with Respondent Bradley Allen Jackson, M.D. the terms
18 and conditions and other matters contained in the above Stipulated Settlement and Disciplinary
19 Order. I approve its form and content.

20 DATED: 2/22/19 
21 RAYMOND J. MCMAHON
22 Attorney for Respondent
23
24
25
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27
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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Medical Board of California.

Dated: 2/27/19

Respectfully submitted,

XAVIER BECERRA
Attorney General of California
JUDITH T. ALVARADO
Supervising Deputy Attorney General



REBECCA L. SMITH
Deputy Attorney General
Attorneys for Complainant

LA2018501294

Exhibit A

Accusation No. 800-2016-020514

1 XAVIER BECERRA
Attorney General of California
2 JUDITH T. ALVARADO
Supervising Deputy Attorney General
3 REBECCA L. SMITH
Deputy Attorney General
4 State Bar No. 179733
California Department of Justice
5 300 South Spring Street, Suite 1702
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7 *Attorneys for Complainant*

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO *Aug. 14 20 18*
BY *[Signature]* ANALYST

8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 800-2016-020514

12 BRADLEY ALLEN JACKSON, M.D.
13 101 East Valencia Mesa Drive
Fullerton, California 92835

A C C U S A T I O N

14 Physician's and Surgeon's Certificate
15 No. A 115326,

16 Respondent.

17
18 Complainant alleges:

19 **PARTIES**

20 1. Kimberly Kirchmeyer ("Complainant") brings this Accusation solely in her official
21 capacity as the Executive Director of the Medical Board of California, Department of Consumer
22 Affairs ("Board").

23 2. On or about January 5, 2011, the Medical Board issued Physician's and Surgeon's
24 Certificate Number A 115326 to Bradley Allen Jackson, M.D. ("Respondent"). That license was
25 in full force and effect at all times relevant to the charges brought herein and will expire on
26 September 30, 2018, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2004 of the Code states:

"The board shall have the responsibility for the following:

"(a) The enforcement of the disciplinary and criminal provisions of the Medical Practice Act.

"(b) The administration and hearing of disciplinary actions.

"(c) Carrying out disciplinary actions appropriate to findings made by a panel or an administrative law judge.

"(d) Suspending, revoking, or otherwise limiting certificates after the conclusion of disciplinary actions.

"(e) Reviewing the quality of medical practice carried out by physician and surgeon certificate holders under the jurisdiction of the board.

"(f) Approving undergraduate and graduate medical education programs.

"(g) Approving clinical clerkship and special programs and hospitals for the programs in subdivision (f).

"(h) Issuing licenses and certificates under the board's jurisdiction.

"(i) Administering the board's continuing medical education program."

5. Section 2227 of the Code states:

"(a) A licensee whose matter has been heard by an administrative law judge of the Medical Quality Hearing Panel as designated in Section 11371 of the Government Code, or whose default has been entered, and who is found guilty, or who has entered into a stipulation for disciplinary action with the board, may, in accordance with the provisions of this chapter:

"(1) Have his or her license revoked upon order of the board.

"(2) Have his or her right to practice suspended for a period not to exceed one year upon order of the board.

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1 “(3) Be placed on probation and be required to pay the costs of probation monitoring upon
2 order of the board.

3 “(4) Be publicly reprimanded by the board. The public reprimand may include a
4 requirement that the licensee complete relevant educational courses approved by the board.

5 “(5) Have any other action taken in relation to discipline as part of an order of probation, as
6 the board or an administrative law judge may deem proper.

7 “(b) Any matter heard pursuant to subdivision (a), except for warning letters, medical
8 review or advisory conferences, professional competency examinations, continuing education
9 activities, and cost reimbursement associated therewith that are agreed to with the board and
10 successfully completed by the licensee, or other matters made confidential or privileged by
11 existing law, is deemed public, and shall be made available to the public by the board pursuant to
12 Section 803.1.”

13 6. Section 2234 of the Code states:

14 “The board shall take action against any licensee who is charged with unprofessional
15 conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not
16 limited to, the following:

17 “(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the
18 violation of, or conspiring to violate any provision of this chapter.

19 “(b) Gross negligence.

20 “...”

21 **FIRST CAUSE FOR DISCIPLINE**

22 **(Gross Negligence)**

23 7. Respondent Bradley Allen Jackson, M.D. is subject to disciplinary action under
24 section 2234, subdivision (b), of the Code, in that he engaged in gross negligence in his
25 interpretation of Patient 1’s August 19, 2015 CT scan of the chest, abdomen and pelvis.¹ The
26 circumstances are as follows:

27 _____
28 ¹ For privacy purposes, the patient in this Accusation is referred to as Patient 1, with the identity of
the patient disclosed to Respondent in discovery.

1 8. Patient 1, a then 69-year-old male, had a history of renal cell cancer. On August 19,
2 2015, he underwent a CT scan of the chest, abdomen and pelvis.

3 9. Respondent reviewed and interpreted the August 19, 2015 CT scan of the chest,
4 abdomen and pelvis. Respondent was aware that the patient had a past medical history of renal
5 cell cancer and that the August 19, 2015 CT examination was a surveillance study specifically
6 looking for possible residual or recurrent/metastatic disease. In his report, Respondent noted that
7 the patient had a history of renal cell cancer and that he compared the August 19, 2015 CT scan to
8 the patient's February 17, 2015 CT scan.

9 10. With respect to his findings, Respondent noted the following in his report:

10 "The heart is normal in size. No significant pericardial effusion is seen. The
11 aorta and pulmonary artery are normal in caliber. No mediastinal, hilar or axillar
12 adenopathy is seen. A calcified granuloma is present in the lungs. No pulmonary
13 masses or nodules are seen. There are dependent atelectatic changes. No
14 consolidation or effusion is seen. The liver is mildly low in density. The spleen
15 contains calcifications consistent with prior granulomatous disease. The gallbladder
16 pancreas and right adrenal gland are unremarkable. The left kidney is absent. The
17 left adrenal gland may also be absent. Within the superior pole of the right kidney
18 again noted is a 1.9 x 1.6 x 1.4 cm mass which contains fat. The mass does have
19 enhancing portions. Findings are stable compared to prior examination dating back
20 to November 14, 2013. The right kidney also contains a 4.2 cm cyst and additional
21 smaller cysts. There is minimal right hydronephrosis. The large and small bowel
22 are normal in caliber. Mild sigmoid diverticulosis is present without inflammation.
23 The urinary bladder and prostate are unremarkable. No free air or free fluid is seen.
24 Again noted are small nonspecific retroperitoneal lymph nodes which are stable.
25 No new or enlarged nodes are identified. No mesenteric or pelvic adenopathy is
26 seen."

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1 11. With respect to his impression, Respondent noted the following in his report:

2 "Status post left nephrectomy. Small retroperitoneal lymph nodes, stable. No
3 evidence of metastatic disease. Stable 1.9 cm right renal upper pole fat-containing
4 mass with mild enhancement, stable from examination dating back to November 14,
5 2013, most suggestive of an angiomyolipoma, less likely malignancy. Hepatic
6 steatosis. Mild sigmoid diverticulosis without inflammation."

7 12. Respondent's report reflects that he dictated it on August 19, 2015 at 1637 hours and
8 that he electronically signed it that same day at 1643 hours.

9 13. In January 2016, Patient 1 next sought medical evaluation for increasing right
10 pelvic/groin pain which had been present at the time of the August 19, 2015 CT scan but had
11 significantly worsened over the subsequent 5-month interval. A diagnostic ultrasound was
12 performed on January 27, 2016 for a possible inguinal hernia. The ultrasound showed no
13 evidence of an inguinal hernia but did show a large soft tissue mass corresponding to the site of
14 his clinical symptoms.

15 14. Based upon the ultrasound findings and progressive clinical symptoms of pain, a CT
16 examination of the pelvis was performed on February 15, 2016 at which time a soft tissue mass
17 arising from the right superior pubic ramus, measuring approximately 5.8 x 4.5 cm, was
18 identified. The radiologist, Dr. CH, compared the February 15, 2016 CT scan to the patient's
19 August 19, 2015 CT scan. Dr. CH determined that the same mass had been present on the August
20 19, 2015 CT scan and measured 3.5 x 2.8 cm at the time. The mass had not been reported in
21 Respondent's August 19, 2015 report.

22 15. Following the discovery of the recurrent/metastatic renal cell carcinoma, Patient 1
23 underwent further renal cell cancer therapy options and treatments.

24 16. The standard of medical practice for radiologists in California interpreting CT scans
25 requires that the radiologist take the available clinical history along with any relevant prior
26 medical imaging and scrutinize the tasked study. Further, the radiologist is required to report all
27 relevant findings related to the recognized patient diagnosis as well as report any additional
28 radiological findings that may be of current or future clinical significance.

1 17. The second most common site for renal cell carcinoma metastases is to bone, which
2 necessitates additional specific scrutiny for such potential lesions when interpreting surveillance
3 CT scans.

4 18. Respondent failed to identify and report the critical value finding of a large and easily
5 visible mass arising from the right superior pubic ramus bone at the time he reviewed the
6 patient's August 19, 2015 CT scan of the chest, abdomen and pelvis.

7 19. Even if Respondent was not made aware of the clinical symptoms of right groin pain,
8 the mass lesion then measuring 3.5 x 2.8 cm was readily visible on a superficial scrutiny of the
9 imaging. Further, when compared to the mirror image anatomy of the normal left superior pubic
10 ramus seen on the same anatomic level image slices, the mass lesion then measuring 3.5 x 2.8 cm
11 was readily visible on a superficial scrutiny of the imaging.

12 **PRAYER**

13 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
14 and that following the hearing, the Medical Board of California issue a decision:


15 1. Revoking or suspending Physician's and Surgeon's Certificate Number A 115326,
16 issued to Bradley Allen Jackson, M.D.;

17 2. Revoking, suspending or denying approval of Bradley Allen Jackson, M.D.'s
18 authority to supervise physician assistants and advanced practice nurses;

19 3. Ordering Bradley Allen Jackson, M.D., if placed on probation, to pay the Board the
20 costs of probation monitoring; and

21 4. Taking such other and further action as deemed necessary and proper.

22
23 DATED: August 14, 2018


KIMBERLY KIRCHMEYER
Executive Director
Medical Board of California
Department of Consumer Affairs
State of California
Complainant

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